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HAMPSHIRE RECUSANTS

A STORY OF THEIR TROUBLES
IN THE TIME OF
QUEEN ELIZABETH

BY

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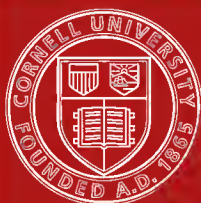
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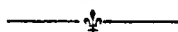
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THE following paper was read, by request of the Committee, before a meeting of the Petersfield Literary and Debating Society. It is merely a sketch of the religious laws passed during the reign of Queen Elizabeth, and of the consequences they entailed upon those who remained firm in their adherence to the old religion. In illustrating this subject in the county of Hampshire, I have confined myself to the domestic troubles which fell upon so many Recusant families at the time, by reason of the heavy fines levied upon them, and the imprisonment of many for not paying the sums of money demanded of them.



HAMPSHIRE RECUSANTS

IN THE TIME OF QUEEN ELIZABETH.



WHEN Elizabeth succeeded to the crown in 1558, many problems of practical import at once presented themselves for solution. Not the least in importance was the great religious question, which, during the previous five-and-twenty years, had exercised the mind of the nation by the frequent and violent changes of policy of successive sovereigns and their advisers. The queen herself, now in her twenty-fifth year, was in reality the creature of strife, and had been cradled amid the turmoil of the religious dissensions in England, which had their beginning, if not their origin, in the circumstances attending her birth. In her earliest recollection, practically, although not of course theoretically, England had ceased to be one in matters of religion, and the experiences of the quarter of a century during which she had lived before she was herself called upon to grasp the reins of power must have taught her how deep and bitter were the feelings engendered by theological dissensions. Her own personal religious opinions are

somewhat difficult to fathom; but probably the popular historian of the English People, Mr. J. R. Green, is not far wrong in saying of her: "No woman ever lived who was so totally destitute of the sentiment of religion."¹ Theology was to her apparently but a branch of statecraft, and differences of creed were to be regarded, at least by the ruler, "in a purely political light."

It is of course, not my purpose in any way to discuss the Elizabethan policy from a religious point of view. For the purposes of this paper I am quite prepared to assume that in her attempt to coerce the nation into following her lead, she had ample justification in the circumstances of the time, and ample precedents in the example of her immediate predecessors. Circumstances, which are too well known to need mention here, determined her to make choice of the Protestant, or Reforming party, upon which to build up the system which Mr. Gladstone has well called "the Elizabethan Settlement of religion." And to do Elizabeth justice, it could hardly have entered her mind to suppose that the English people, or any considerable section of them, would finally question the royal right to settle the legal basis of the national creed. The Tudor principle *Cujus regio ejus religio*, which may be Englished, "he who rules a nation determines its creed," had practically been acquiesced in, or at least acted upon, in the various religious changes England had seen in the quarter of a century which had intervened between Henry the Eighth's rejection of Roman

¹ *Short History*, p. 369.

Supremacy and the accession of Elizabeth. We who live in these days of religious liberty, and of a recognised diversity of religious opinion, can with difficulty appreciate the attitude of mind in which men in the middle of the sixteenth century must have regarded the possibility of national divisions and differences in matters of religion. Such a state of things must have appeared to them a peril to the ship of State not to be admitted on any principle of government, and strenuously to be resisted by the strong arm of the law.

The notion of being able "to agree to differ" in matters which touched the conscience, and yet of being united in other matters of national, foreign and domestic policy, had yet to be born of experience in the course of the coming centuries. Whatever we may think about the measures subsequently adopted by Elizabeth to coerce the consciences of her subjects, or at least to secure the external observance of those who remained attached to the older forms of religion, we should in fairness recognise this side of the burning question, and understand that the fundamental idea of unity in Religion was still the dominant belief of the nation when Elizabeth came to the throne. The Queen's personal motives, her individual preferences, are of no present concern to us. I have already given Mr. Green's opinion (and I need not say he is not biased in favour of the Catholic side) that with her it was a matter not of religion but of state; and that is as deep as we need here go into the question.

I am of course aware that there was an attempt made by the Queen's all-powerful minister, Lord Burghley, to claim

for the recusant laws the higher sanction of duty—a duty which made it incumbent on those who held the reins of power to extirpate the erroneous doctrine of the Sacrifice of the Mass from the hearts of the people. “It is not to be doubted,” he writes, “but the usage of the present popish mass, wherein the use of the Sacrament is turned into a sacrifice for sins, and intercession is made to saints with other things derogatory to the first institution of Christ, is to be rooted out of the church as a great evil.”¹

As far as my present purpose, however, is concerned, any one who pleases may consider that in all Queen Elizabeth did to secure uniformity of religion she was actuated by high and holy motives; nay more, that the measures she adopted to secure her settlement of the religious difficulties, although perchance to our more humane and tender hearts somewhat harsh and excessive, were justified by the circumstances of the time. I have no wish to disturb any conviction of this nature; for all I propose to do is to examine historically into the operation of the religious laws passed in the reign of Elizabeth, and to illustrate their action in regard to Hampshire in general, and to the neighbourhood of Petersfield in particular.

I do not think such an examination as I propose to make in any way unnecessary. To many people the very notion of coercion, in matters of religion, by the State is at the present day highly repugnant. What is unpleasant

¹ State Papers Dom. Eliz. (undated) 1590. No. 445 D. The paper was copied before the documents were arranged in volumes, and it is now impossible to say where it has been placed.

or distasteful is naturally ignored and passed over, if not designedly hidden away, till we are in danger of forgetting its very existence. I gather from several recent books that this is the case in regard to this portion of our national history; and more than once lately have I been gravely informed by people, who might have been supposed to know better, that Queen Mary Tudor was the only English sovereign who disgraced the annals of English history by interference between man and his conscience. Now, while I to a certain degree sympathise with the old lady of the story, who steadily refused to read any history of the past, on the high moral principle "that bygones should be bygones," I do not think it possible to form any right estimate of the latter half of the sixteenth century and even of the seventeenth and eighteenth centuries, without submitting the religious laws in force during that period to some examination. Let me take one example of what I mean. Most people have probably seen, or at any rate heard of, a work on *Social England*, which is being published by the well known firm of Messrs. Cassell. It purports to be an attempt to do for the general history of England what the introductory chapter of Macaulay's *History* did for the Stuart period. Such a book could only have been produced by the collaboration of many writers, and on the whole the result is excellent. There are, however, to my mind serious defects in the third volume, which deals with what is known as the Reformation period. I do not desire to be too sweeping in my condemnation for I was myself a contributor to a small portion of the volume, but the book serves to illustrate the danger of leaving

out unpleasant portions of our history. When I knew that I should have the pleasure of reading this paper I thought I would have a look to see what new lights the writer on the Elizabethan religious history in this volume had to give me about "*Recusants*." Knowing that the author was a Fellow of one of the Oxford colleges and I believe also an examiner in the modern history schools, I expected to get some information and perhaps even to be able to ask you to accept his account of the religious legislation and its effects during this period as likely possibly to be more satisfactory to you than any I might give. I am sorry to say that at the outset my hopes were disappointed. The index of the volume does not so much as contain the word *recusant* or anything of a kindred nature, and the word penal law is equally conspicuous by its absence. I do not profess to have read every word of the book itself; but I have certainly read sufficient to be able to say with confidence that the subject of "recusancy" is not merely inadequately treated, but is barely touched upon at all in the otherwise full account of Elizabeth's reign. How a fair idea of the social condition of England at this time can possibly be obtained without a proper treatment of this subject I do not profess to be able to understand, and I hope before I have finished my paper you may be induced to agree with me.

Before passing to speak of matters of special local interest in connection with the subject of the recusant laws, it is necessary that I should recall briefly a few facts as to the general history of our country immediately subsequent to the accession of Elizabeth, and place before you some account of

the laws as to religion by which, as I have said, the Queen sought to vindicate the right, claimed by the later Tudor monarchs, to give the form of religion to the country over which they ruled. It is necessary to describe these laws at some considerable length, since, as I have just pointed out, there is a real danger of their very existence being ignored.

I am not going to ask you to take my account of this history, or of the measures to secure a uniformity in religion, known as the penal laws; the first we may conveniently take from Green's *History of the English People*; the second from Hallam's standard work, *The Constitutional History of England*. Neither author can be accused of having any bias towards the Catholic side; and for this reason, and because their works are easily within the reach of all, I have selected them. My part will be confined chiefly to an endeavour to illustrate the incidence of the laws against Recusants by reference to persons and places in this neighbourhood of Petersfield.

I may perhaps premise one word as to the meaning of the word *Recusant*. It does not mean, as is so often supposed, and not infrequently stated, one who had refused the oath of allegiance to the sovereign; or even the oath of supremacy. A *recusant* was simply one who refused to be present at the public services in the parish churches. This is the only meaning which the word has in the official documents of the period. Let us now under the guidance of Mr. J. R. Green, take a glimpse at the general history of the times when Elizabeth came to the throne.

"The first interest in" Elizabeth's mind, writes this historian, "was the interest of public order, and she never could

understand how it could fail to be first in everyone's mind. Her ingenuity set itself to construct a system in which ecclesiastical unity should not jar against the rights of conscience; a compromise which merely required outer 'conformity' to the established worship, while, as she was never weary of repeating, it 'left opinion free.' . . . The first work of her Parliament was to undo the work of Mary, to repeal the Statutes of Heresy, to dissolve the refounded monasteries and to restore the Royal Supremacy. . . . Further, she had no personal wish to go. A third of the Council and two thirds of the people were as opposed to any radical changes in religion as the Queen. Among the gentry the older and wealthier were on the conservative side, and only the younger and meaner on the other. But it was soon necessary to go further. If the Protestants were the less numerous, they were the abler and the more vigorous party, and the exiles who returned from Geneva, brought with them a fiercer hatred of Catholicism."

"The whole machinery of public religion had been thrown out of gear by the rapid and radical changes of the past two reigns. In some dioceses a third of the parishes were without clergymen. The churches themselves were falling into ruin. The majority of the parish priests were still Catholic in heart; in the north, indeed, they made little disguise of their reactionary tendencies.¹ On the other hand, the Protes-

¹ There is a very general idea that, with the exception of a very small number, the entire body of the English clergy took the required oath of supremacy on the accession of Queen Elizabeth. This idea is based upon an entire misconception of the facts. Mr. R. Simpson (*Life of Edmund Campion*,

tant minority among the clergy were already disgusting the people by their violence and greed. Chapters had begun to plunder their own estates by leases and fines, and by felling timber. The marriages of the clergy were a perpetual scandal, a scandal which was increased when the gorgeous vestments of the old worship were cut up into gowns and bodices for the priests' wives. The new services became scenes of utter disorder, where the clergy wore what dress

p. 139) has put these most clearly. Before the end of 1559 all the Bishops had been deprived of their Sees. On May 23, 1559, a royal commission, partly lay, partly clerical, was appointed to tender the oath to the clergy generally. They were directed to proceed with caution; but in October it was found that they had been too zealous, and several laymen were appointed to supersede the clerical members. But even then the inquisition had such serious effects, that in December the queen had to write to the commissioners to suspend their proceedings. The general result of the proceedings was, that of the multitudes of clergymen who refused to subscribe only a few were at once deprived, some had three years given for consideration, and others seem to have been connived at. The Province of York was visited in August and September, 1559, with the following result: out of 90 clergymen summoned, 21 came and took the required oath, 36 came and refused to swear, 17 were absent without proctors, 16 were absent with proctors. In the province of Canterbury, the dean and canons of Winchester Cathedral, the warden and fellows of the college, and the master of St. Cross, all refused the oath. The visitors for the whole province returned 49 recusants and 786 conformists, significantly omitting the absentees. Out of 8,911 parishes and 9,400 beneficed clergymen, only 806 took the oath, whilst all the bishops and 85 others expressly refused to subscribe, and the rest absented themselves. The assertion of Camden that only 189 clergymen were deprived in this visitation proves nothing, even if it were true. At the end of *State Papers Domestic Elizabeth*, vol. x., is an abstract of the number of rectors, vicars and curates who refused to attend when summoned in the four dioceses of York, Chester, Durham and Carlisle. The total is 314. There is no abstract of the number who attended but refused to take the oath, but the book proves that in this province 370 clergymen refused to swear, or would have refused had they been pressed. Probably the real number, had we the means of knowing would be found to be double that figure.

they pleased, and the communicant stood or sat as he liked ; while the old altars were broken down and the communion table was often a bare board upon trestles. The people, naturally enough, were found to be 'utterly devoid of religion' and came to church 'as to a May game'" (p. 371). "The Marian bishops, with a single exception, discerned the Protestant drift of the Queen's changes, and bore imprisonment and deprivation rather than accept them" (p. 370). Under Archbishop Parker "The vacant sees were filled for the most part with learned and able men ; the plunder of the Church by the nobles was checked, and England was settling quietly down again in religious peace when a prohibition from Rome forbade the presence of Catholics at the new worship. The order was widely obeyed, and the obedience was accepted by Elizabeth as a direct act of defiance. Heavy 'fines for recusancy,' levied on all who absented themselves from church became a constant source of supply to the Royal Exchequer."

So much for Green's account of the general history. I pass on now to give from Hallam's *Constitutional History of England* some account of the laws by which Elizabeth and her advisers hoped to secure general adherence to her "settlement of religion" in England. The Parliament which met about two months after Elizabeth's succession re-established the Anglican liturgy and restored the royal supremacy as we have seen. "These two statutes, commonly denominated the acts of Supremacy and Uniformity," writes the historian, "form the basis of that restrictive code of laws, deemed by some one of the fundamental bulwarks, by others

the reproach of our constitution, which pressed so heavily for more than two centuries upon the adherents to the Romish church. By the former all beneficed ecclesiastics, and all laymen holding office under the crown, were obliged to take the oath of supremacy, renouncing the spiritual as well as temporal jurisdiction of every foreign prince or prelate, on pain of forfeiting their office or benefice ; and it was rendered highly penal, and for the third offence treasonable, to maintain such supremacy by writing or advised speaking. The latter statute trenched more on the natural rights of conscience ; prohibiting, under pain of forfeiting goods and chattels for the first offence, of a year's imprisonment for the second, and of imprisonment during life for the third, the use by a minister, whether beneficed or not, of any but the established liturgy ; and imposed a fine of one shilling on all who should absent themselves from church on Sundays and holidays."

"This act," continues Hallam, "operated as an absolute interdiction of the Catholic rites, however privately celebrated. It has frequently been asserted, that the Government connived at the domestic exercise of that religion during these first years of Elizabeth's reign. This may possibly have been the case with respect to some persons of very high rank, whom it was inexpedient to irritate. But we find instances of severity towards Catholics, even in that early period ; and it is evident that their solemn rites were only performed by stealth and at much hazard. Thus Sir Edward Waldegrave and his lady were sent to the Tower in 1561, for hearing mass and having a priest in their house. Many others about

the same time were punished for the like offence. Two bishops, one of whom, I regret to say, was Grindal, write to the Council in 1562, concerning a priest apprehended in a lady's house, that neither he nor the servants would be sworn to answer to articles, saying they would not accuse themselves; and after a wise remark on this, that 'papisty is like to end in anabaptistry,' proceed to hint that 'some think that if this priest might be put to some kind of torment and so driven to confess what he knoweth, he might gain the Queen's Majesty a good mass of money by the masses that he hath said; but we refer to your lordships' wisdom.' This commencement of persecution induced many Catholics to fly beyond the sea, and gave rise to those re-unions of disaffected exiles, which never ceased to endanger the throne of Elizabeth.

"It cannot, as far as appears, be truly alleged that any greater provocation had as yet been given by the Catholics than that of pertinaciously continuing to believe and worship as their fathers had done before. I request [adds Hallam] those who may hesitate about this, to pay some attention to the order of time before they form their opinions."

I here interrupt Hallam's account of the penal laws to briefly corroborate what he tells us as to the early date at which the celebration of Catholic rites was prevented by the strong measure of imprisonment. The Sir Edward Waldegrave he mentions as having been sent to the Tower in 1561 had been previously confined in the same prison during the reign of Edward VI. for refusing to force the Protestant service upon Queen Mary. The notice given of this imprison-

ment in the valuable contemporary diary of a resident in London, known as *Machyn's Diary* (p. 256), is "The xxii. day of Aprell was had to the Towre ser Edward Walgraff and my lade his wyff, as good almes-foke as be in thes day, and odor caried thethur." The cause of this imprisonment is given in many state papers, and also by Machyn when, on September 1 of the same year, 1561, he records the death of "the good and gentle knight whyle in the Towre, the whyche he was put for herryng of masse and kepyng a prest in ys howse that dyd say masse." In this and the following year, 1562, according to an official paper now preserved among the Harleian MSS. at the British Museum,¹ there were some sixteen or seventeen ladies and gentlemen prisoners in the Fleet prison for "matters of religion," and in almost every case it is stated that the offence was "for hearing mass." In the Marshalsea there was a gentleman and a priest, in the King's Bench a gentleman and two priests,² whilst in the Tower, besides Sir Edward and Lady Waldegrave, there was a goodly company, including Sir Thomas and Lady Wharton, and their priest William Joly. "Their faults be well in remembrance" is noted against them as bracketted together with the Waldegraves and others; and what those faults were we are not left in any doubt, as they all appear in another paper, dated June 3, 1561, and endorsed "prisoners for mass." This last paper, annotated in the writing of Cecil himself, contains some forty names of persons, gentry and priests, who were indicted at the

¹ Harl. MSS., 360 f. 34.

² State Papers, Dom. Eliz., vol. xvi., No. 65, No. 35; vol. xvii., No. 13.

general assizes at Brentwood, in Essex, for offences against the religious laws.¹ But all this, as Mr. Rudyard Kipling is so fond of saying, "is another story," and I return to the guidance of Mr. Hallam.

"I have not found," he writes, "that Pius IV., more moderate than most other Pontiffs of the sixteenth century, took any measures hostile to the temporal government of this realm; but the deprived ecclesiastics were not unfairly anxious to keep alive the faith of their former hearers; and to prevent them from sliding into conformity through indifference and disuse of their ancient rites (p. 115), questions of conscience were circulated, with answers all tending to show the unlawfulness of conformity. There was nothing more in this than the Catholic clergy were bound in consistency with their principle to do, though it seemed very atrocious to bigots. . . . Partly through political circumstances, but far more from the hard usage they experienced for professing their religion, there seems to have been an increased restlessness among the Catholics about 1562, which was met with new rigour by the parliament of that year."

"The Act entitled 'for the assurance of the Queen's royal power over all estates and subjects within her dominions' enacts with an iniquitous and sanguinary retrospect, that all persons who had ever taken holy orders, or any degree in the universities, or had been admitted to the practice of the laws, or held any office in their execution, should be bound to take the oath of supremacy, when tendered to them by a

¹ Ibid., vol. xvii., No. 18.

bishop, or by commissioners appointed under the great seal. The penalty for the first refusal of this oath was that of a *præmunire*, but any person who, after the space of three months from the first tender, should again refuse it when in like manner tendered, incurred the pains of high treason. The oath of supremacy was imposed by statute on every member of the House of Commons, but could not be tendered to a peer, the queen declaring her full confidence in those hereditary councillors. Several peers of great weight and dignity were still Catholics" (p. 116).

"I am never very willing," continues our authority "to admit as an apology for unjust or cruel enactments, that they are not designed to be generally executed; a pretext often insidious, always insecure, and tending to mask the approaches of arbitrary government. But it is certain that Elizabeth did not wish this act to be enforced in its full severity" (p. 117.)

In reply to the application of the Emperor Ferdinand that Catholics might be reasonably allowed the use of one church in each city, the queen declared that she could "not grant churches to those who disagree from her religion, being against the laws of her parliament, and highly dangerous to the state of her kingdom, as it would sow various opinions in the nation to distract the minds of honest men, and would cherish parties and factions that might disturb the present tranquillity of the commonwealth" (p. 120).

"Camden and many others have asserted that by systematic connivance the Roman Catholics enjoyed a pretty free use of their religion for the first fourteen years of Elizabeth's reign.

We find abundance of persons harassed for recusancy, that is, for not attending the Protestant church, and driven to insincere promises of conformity. Others were dragged before ecclesiastical commissioners for harbouring priests, or for sending money to those who had fled beyond sea. Students of the inns of court, where popery had a strong hold at this time, were examined in the star-chamber as to their religion, and on not giving satisfactory answers were committed to the Fleet. The Catholic party were not always scrupulous about the usual artifices of an oppressed people, meeting force by fraud and concealing their heart-felt wishes under the mask of ready submission, or even of zealous attachment. A great majority both of clergy and laity yielded to the times; and of these temporising conformists it cannot be doubted that many lost by degrees all thought of returning to their ancient fold. But others, while they complied with exterior ceremonies, retained in their private devotions their accustomed mode of worship. It is an admitted fact that the Catholics generally attended the church, till it came to be reckoned a distinctive sign of their having renounced their own religion. They persuaded themselves (and the English priests, uninstructed and accustomed to a temporising conduct, did not discourage the notion) that the private observance of their own rites would excuse a formal obedience to the civil power" (p. 120). "There is nothing . . . which serves to countenance the very unfair misrepresentations lately (*i.e.*, 1845) given, as if the Roman Catholics generally had acquiesced in the Anglican worship, believing it to be substantially the same as their own. They frequented our churches, because the law

compelled them by penalties so to do, not out of a notion that very little change had been made by the Reformation. It is true of course that many became real Protestants, by habitual attendance on our rites and by disuse of their own. But these were not the recusants of a later period" (p. 121, note).

"The Romish scheme of worship, though it attaches more importance to ceremonial rites, has one remarkable difference from the Protestant, that it is far less social; and consequently the prevention of its open exercise has far less tendency to weaken men's religious associations so long as their individual intercourse with a priest, its essential requisite, can be preserved. Priests therefore travelled the country in various disguises, to keep alive a flame which the practice of outward conformity was calculated to extinguish. There was not a county throughout England, says a Catholic historian, where several of Mary's clergy did not reside, commonly called the old priests. They served as chaplains in private families. By stealth, at the dead of night, in private chambers, in the secret lurking-places of an ill-peopled country, with all the mystery that subdues the imagination, with all the mutual trust that invigorates constancy, these proscribed ecclesiastics celebrated their solemn rites, more impressive in such concealment than if surrounded by all their former splendour. . . .

"It is my thorough conviction that the persecution, for it can obtain no better name, carried on against the English Catholics, however it might serve to delude the Government by producing an apparent conformity, could not but excite a spirit of disloyalty in many adherents of that faith" (p. 122).

As a consequence of the northern insurrection of 1570, and the celebrated Bull of Pope Pius V., new and more stringent laws were passed against the Catholics by the Parliament in 1571 (13 Eliz. c. 2). This enacted "that all persons publishing any bull from Rome, or absolving and reconciling any one to the Romish Church, or being so reconciled, should incur the penalties of high treason; and such as brought into the realm any crosses, pictures, or superstitious things consecrated by the pope or under his authority, should be liable to *præmunire*. Those who should conceal or connive at the offenders were to be held guilty of misprison of treason. This statute exposed the Catholic priesthood, and in great measure the laity, to the continual risk of martyrdom; for so many had fallen away from their faith through a pliant spirit of conformity with the times, that the regular discipline would exact their absolution and reconciliation before they could be reinstated in the Church's communion" (p. 138). . . . "We cannot wonder to read that these new statutes increased the dissatisfaction of the Roman Catholics, who perceived a systematic determination to extirpate their religion. . . . Many retired to foreign countries, and, receiving for their maintenance pensions from the court of Spain, became unhappy instruments of its ambitious enterprises. Those who remained at home could hardly think their oppression much mitigated by the precarious indulgences which Elizabeth's caprice, or rather the fluctuation of different parties in her councils, sometimes extended to them" (p. 140).

"This indulgence, however, shown by Elizabeth, the topic of reproach in those times, and sometimes of boast in our own,

never extended to any positive toleration, nor even to any general connivance at the Romish worship in its most private exercise. She published a declaration in 1570, that she did not intend to sift men's consciences, provided they observed her laws by coming to church, which, as she well knew, the strict Catholics deemed inconsistent with their integrity. Nor did the Government always abstain from an inquisition into men's private thoughts. The inns of court were more than once purified of popery by examining their members on articles of faith. Gentlemen of good families in the country were harassed in the same manner" (p. 140).

"It will not surprise those who have observed the effect of all persecution for matters of opinion upon the human mind, that during this period the Romish party continued such in numbers and in zeal as to give the most lively alarm to Elizabeth's administration. One cause of this was, beyond doubt, the connivance of justices of the peace, a great many of whom were secretly attached to the same interest, though it was not easy to exclude them from the commission, on account of their wealth and respectability. The facility with which Catholic rites can be performed in secret, as before observed, was a still more important circumstance."

In this way another ten years of Elizabeth's reign passed away. The Parliament which met in 1581 was "discontented with the severities used against the Puritans, but ready to go beyond any measures that the court might propose to subdue and extirpate popery. Here an Act was passed, which, after repeating the former provision that had made it high treason to reconcile any of her Majesty's subjects, or

to be reconciled, to the Church of Rome, imposes a penalty of £20 a month on all persons absenting themselves from church, unless they shall hear the English service at home. Such as could not pay the same within three months after judgment were to be imprisoned until they should conform. The queen, by a subsequent act, had the power of seizing two-thirds of the party's land and all his goods for default of payment. These grievous penalties on recusancy, as the wilful absence of Catholics from church came now to be denominated, were doubtless founded on the extreme difficulty of proving an actual celebration of their own rites. But they established a persecution which fell not at all short in principle of that for which the inquisition had become so odious. Nor were the statutes merely designed for terror's sake—to keep a check over the disaffected, as some would pretend. They were executed in the most sweeping and indiscriminating manner, unless perhaps a few families of high rank might enjoy a connivance" (p. 145).

"The public executions, numerous as they were, scarcely form the most odious part of this persecution. The common law of England has always abhorred the accursed mysteries of a prison house, and neither admits of torture to extort confession, nor of any penal infliction not warranted by a judicial sentence. But this law, though still sacred in the courts of justice, was set aside by the Privy Council under the Tudor line. The rack seldom stood idle in the Tower, for all the latter part of Elizabeth's reign" (p. 148). "Such excessive severities under the pretext of treason, but sustained by very little evidence of any other offence than

the exercise of the Catholic ministry, excited indignation throughout a great part of Europe" (*Ibid.*).

"In 1584 a law was enacted, enjoining all Jesuits, seminary priests and other priests, whether ordained within or without the kingdom, to depart from it within forty days, on pain of being adjudged traitors. The penalty of fine and imprisonment at the queen's pleasure was inflicted on such as knowing any priest to be within the realm, should not discover it to a magistrate. This seemed to fill up the measure of persecution, and to render the longer preservation of this obnoxious religion absolutely impracticable" (p. 153).

After testifying to the loyalty with which Catholics in every part of England united with their fellow countrymen in preparing to resist the Spanish Armada (p. 62), the historian Hallam continues: "It would have been a sign of gratitude if the laws depriving them of the free exercise of their religion had been, if not repealed, yet suffered to sleep, after these proofs of loyalty. But the execution of priests and of other Catholics became on the contrary more frequent, and the fines for recusancy were exacted as rigorously as before. A statute was enacted, restraining Popish recusants—a distinctive name now first imposed by law—to particular places of residence, and subjecting them to other vexatious provisions. All persons were forbidden by proclamation to harbour any of whose conformity they were not assured" (p. 163).

With this I will finish my quotations from the pages of Hallam's *History*, only remarking, as an apology for their length, that there are many other passages which deserve to

be cited, which I hope you may be induced to read for yourselves. I now pass on to illustrate the incidence of the recusant laws in Hampshire, and especially in this neighbourhood of Petersfield.

The most important sources of information upon this subject (and sources which have hitherto been little regarded), are the *Recusant Rolls* in the Public Record Office. Unfortunately these systematic accounts of fines levied upon those who refused to attend the service in their parish churches, and of the rents received from property belonging to such recusants which, as the record says, "by reason of recusancy" was held altogether or in part by the crown, are very far from being complete; that is to say, they do not begin until late in Elizabeth's reign, although from that time the series runs without a break for sixty-three years. There is, of course, a record of the fines paid under the recusant laws in the years previous to the thirty-third of Elizabeth, A.D. 1590; but this is to be found on the general receipt rolls of the Exchequer, known as Pipe Rolls. It would take a very long time to thoroughly examine these rolls, and pick out from the mass of payments of every kind the special sums received by the royal officials in the way of recusant fines. The special recusant rolls are sufficiently difficult to deal with, and we must be content to confine our attention chiefly to this source of information. For the benefit of those who have no acquaintance with the original records of our country, I may perhaps say one word in description of the recusant rolls. When rolled up these records look more like a good size drain pipe than anything

else ; they are about two feet in height and eighteen inches or two feet in diameter. The roll consists of a number of skins of parchment, each from six to eight feet long, and two feet or so, broad, stitched together at one end ; at the extreme end of each skin is written the name of the county to which it refers ; for the receipts on these rolls, like the general Pipe Rolls, are divided out into their special counties. For our present purposes we have only to turn to the skins labelled *Southampton*, or Hampshire, to see what special information they can give us.

The first year, as I have said, is 1590 A.D., after Elizabeth had been on the throne some two-and-thirty years. The Hampshire record for this year is contained on one skin of parchment, such as I have described, written on both sides. The usual method followed is first to account for the estates wholly or partially in the hands of the queen, "by reason of the recusancy" of their owners, and then to record the names of those who during the year in question had been fined for not going to service in their parish church. Thus we find recorded under the first heading that the tenants of various properties belonging to the gentry of the county had paid two-thirds of the value of their holdings to the royal officials because their owners were recusants, and their properties—or rather the rents—had been seized in payment of fines. In one or two cases the *property* itself had already been granted for a term of years to a tenant to farm for the queen's benefit. One gentleman, Richard Warnford, is entered upon the roll as being behindhand in his fines to the amount of £1,540, and so his property was taken over under the Act of Parliament, about

which Hallam has told us, which enabled the crown to take possession of two-thirds of the possessions of all who would not, or more probably could not, pay their fines for not going to the service in their parish churches. The present record shows that many of the gentry had already been reduced to this strait; amongst them we find the names of Gilbert Wells of Brambridge, near Twyford, whose property had been granted out to a farmer by the crown in the thirtieth year of the queen's reign; of Thomas Powndes of Beamond, or Beaumont, in the parish of Farlington—a very noted recusant about whom I shall speak presently; of Anthony Udall, or Uvedale, of Woodcote, near Alresford, who had other property at Hambledon. To come nearer to this neighbourhood of Petersfield, we find the receipt of the sum of £72 4s. 4d. for two-thirds of the manor of Westbury, described as “situate on the road from Eastmeon,” the property of “William Fawkenor, recusant.” On the other side of the hills we have Humfrey Milles, or Clarke, paying over two-thirds of the value of the manors of Idsworth and Bannisters Court, the property of Edward Bannyster, “recusant;” and to take one more example, the same fine of two-thirds is exacted on the property of one Stephen Vachell, “gentleman and recusant,” who is described as of “Heath House, in Borryton, near Petersfield.”

With these few examples I pass on to the second division of the record, which gives the names of those fined at the rate of £20 a month, and thirteen months in the year, “for not going to church, chapel or other place of common

prayer." First comes the name of George Cotton, of Warblington, near Havant, who pays £260 on this score. Then there is given a long list of all sorts and conditions of men and women called on to pay at the same rate for the same legal offence. Husbands are requested to pay for their wives—for the women clearly make what I may perhaps call a "manful" stand for the rights of conscience. To take a few examples in the Petersfield neighbourhood; amongst those who have been found absent from their churches for seven months, and who are consequently requested to pay down £140, are Elizabeth, wife of Giles Turner, gentleman, of Steep; Richard Strange or Barnes, of Buriton, gentleman; William Edmonds or Hollo-way, of Eastmeon, yeoman; Margery Vachell, of Catherington, spinster; Humfrey Milles or Clarke, of Idsworth, yeoman (you remember he was the tenant of Edward Bannister, the owner of Idsworth); and not to mention others, Thomas Neave, of Petersfield, yeoman. Amongst those who had been convicted of having absented themselves from the common place of worship for four months, and were consequently asked only for £80, there is the following list of Buriton people; Thomas Kent, yeoman; Thomas Crowcher, yeoman; Arthur Richman, yeoman; Mary Blackman, wife of Henry Blackman; Emma Okelie, widow; Elizabeth Geale, widow; Ralph Geale (her son, probably), yeoman.

I give this as merely a sample of the information which may be obtained by an examination of the *Recusant Rolls*. Year after year the same story is disclosed; not that the fines in money are levied constantly or regularly; at times

there are long lists; at times the names are fewer, but the first part of the record—that which gives the rental of lands seized by the crown in payment of the recusant fines—practically changes only in two ways; fresh names are added from time to time, and here and there we have noted the sales of timber, &c., upon the various estates, and the leases and other grants made by the crown from the lands of “obstinate recusants.” Thus, for example at Hinton, on two farms called Wetham’s and Cook’s, the property of Thomas and Benjamin Stockwith, “by reason of their recusancy” the goods and chattels were seized and sold to meet the deficiency of rent to pay their fines. At Newlands, in the parish of Southwick, the property of Anthony Uvedale, of Woodcote, near Alresford, the oak and beech woods were cut down, as well as his beech woods at Hambledon, to pay fines due to the crown. As time goes on, more property is discovered and noted as having to pay two-thirds of the rental to the royal receiver. Thus in the fortieth year of Elizabeth’s reign a considerable addition appears to the rents received from the property of Stephen Vachell, of Heath House; thirteen acres of land, for example, at Charlton, lands in Catherington, Havant and Hayling, and Weston farm near Buriton, with house, garden, orchard, and some 200 acres of land are made chargeable at two-thirds of their value. This same farm, on the 30th of September, 1600, was granted for twenty-one years to one Arthur West, by Sir Thomas West, and other royal commissioners. The tenants of two brothers, Robert and Anthony Joy of Rothercombe, in the parish of Eastmeon, are ordered to pay their

rents to the crown for various meadows named "long croft, cops close, square meadow, great combfield of 20 acres, green close, &c.," in the parish of Eastmeon. And to take but one more example, Henry Knight, the tenant of Anthony Norton of Blendworth, has to pay to the crown the rent of a house and 60 acres of land at Punsall (or Punsholt) in the parish of Eastmeon.

As to the money fines, the obvious question at once arises, how could they have been paid? We must bear in mind that money in the days of Elizabeth was at least 10 or 12 times the value of money at the present time. Probably we shall be under the mark if we take a penny at the end of the sixteenth century to be equal to our shilling, and at that rate £20 a month would be the same as £240 of our coinage. It is obviously impossible that such a sum, or anything like it, could have been found by the class of people who were condemned to pay these fines for not going to church. For example, the *Recusant Roll* for the second year of James I. contains extraordinary lists of men and women of every kind and degree, each fined £120 for not appearing at church for six months. The Hampshire portion of the Roll alone gives the names of some five hundred people thus fined, and the list includes the names of millers, tailors, milliners, husbandmen, yeomen, shoemakers, labourers, blacksmiths, fishermen, &c., not to name numerous widows, spinsters, and other lone women who had no husbands to pay for them. For example, at Petersfield we have Stephen Neve, tailor, and his wife, together with Thomas Neve, each fined £140 for not going to church for the previous six months; also John Harris and his

wife; Richard Dyling and his wife, and Richard Allen and his wife, all of Petersfield, for the same. At Hambledon there are given the names of some twenty, and at Warblington some six and twenty, men and women, all of the labouring classes, who were thus fined. At Buriton we have the names of Agnes Crowcher, and her husband Thomas Crowcher, labourer; of Arthur Rudesbye, haulier, and Elizabeth his wife; of Elizabeth Okelie, widow; of Mary Blackman, wife of Henry Blackman; of Joan Crowcher, widow, and of Ann Crowcher, wife of Ralph Crowcher, labourer. Down by the coast recusancy is evidently rife. At Wymering the list is a long one, and at Westburant, near Havant, occurs the name of "Elizabeth Bulbeck, spinster"—a Catholic name still known in the same place. It is of course obvious that these people, and hundreds like them in the country, could never have found the money to pay. Still the mere fact of their being, as they were called, "convicted recusants," placed them within the power of the law, and the next step taken with them was to value, and, in the crown's behalf, lay claim to the goods and chattels of all indebted for the amount of their fines. There are records of cows and cattle of all sorts, furniture—poor sticks of furniture enough, for the most part they seem to be—farming implements, hayricks, &c., &c., being declared of such and such a value, and the property of the crown. In some instances this embargo appears to have been bought off at the royal official valuation; but almost always these poor unfortunate creatures had to remain under the crushing sense that all their worldly goods were known to be the property of the crown, and held solely

at the mercy of some official in the district. Instances are not wanting of the actual sales of every bit of furniture, and even of the home itself, over the heads of a family noted for its recusancy.

A series of rolls little consulted for any purpose affords us some particulars about these debts owed by various recusants. They are called *Exannual Rolls*, and upon them are entered such debts to the crown as are never likely to be paid—debts for which it would be hopeless to prosecute. From the twenty-fifth year of Queen Elizabeth's reign these rolls contain long lists of *bad* debts owing by recusants who have nothing wherewith to pay. In some instances, at a later period, there is a record that payment, or part payment, of this or that debt has been obtained; as for example, when the lands of Stephen Vachell, of Heath House and Buriton, and Anthony Uvedale of Hambledon, are taken possession of; but generally the debt is entered as hopeless.

There are some instances, however, on the *Recusant Rolls* in which, year after year, a recusant, somehow or other, managed to scrape together sufficient to pay the full penalty for refusing to attend his parish church. Thus, Mr. George Cotton, of Warblington, actually paid £260 each year for many years. I have followed the receipts for twenty years, from 1587 to 1607. Imagine what such payments mean; actually in hard cash this gentleman—a man of considerable property about Havant—in these twenty years paid in fines some £5,200 in money of those days, or something over £60,000 of our money. I did not myself for some time believe that this could have been the case, and supposed that

although he was nominally fined that amount, the money was not actually paid. I have, however, satisfied myself that the cash was in fact handed into the royal treasury. There exist at the Record Office what are called the *Pells Receipt Books*, and day by day in these were entered the sums of money which were paid into the exchequer, and the source whence they came. I have followed out in these Pells receipts the sums of money obtained from Hampshire as noted on the Recusant Rolls. There, for example, duly noted as received will be found the rents of Stephen Vachell's property in Petersfield and Buriton, the rents of Heath House and Weston Farm; there are the payments of two-thirds of the rents of the Idsworth and of the Westbury property, and the rest; and there each six months is recorded the receipt of a moiety of the £260 which Mr. George Cotton is stated on the Recusant Roll to have paid for not attending the church service. He begins in 1586 by a small payment of £15 6s. 8d. In 1587, on May 29th, he pays £140, and the other moiety of the £260, namely £120, on November 24th; on this day he also pays £199 6s. 8d., said to be "in part payment of the sum of £1199 6s. 8d.," arrears of fines for not going to his parish church. From 1587 till his name disappears from the treasury account books in 1607, Mr. George Cotton pays his £260 a year regularly. More than this; by degrees he is forced to pay off the arrears of which I have just spoken. Thus on November 28th, 1588, besides his usual six-monthly moiety of the £260, he pays into the queen's purse £433 6s. 8d.¹ and a like sum at two subsequent dates.

¹ Pells Receipt Books, No. 51.

I may add that the *Pells Receipt Book*, besides being a day book, gives what may be called a ledger account at the end of each volume. Here the various sums paid into the royal treasury are gathered together under their various headings. Thus there are the custom dues on wine, &c., the fines inflicted in the Star chamber, the payment for renewal of crown leases, &c. One of the headings given is "*Fines de recusantibus accedere ad Ecclesiam ubi communis oratio utitur*," that is, "Fines from those refusing to come to church where the Common Prayer is used," and the totals show, when compared with other receipts, that the recusant fines were a very considerable source of revenue. There are indeed only one or two other sources that furnish more money to the exchequer of the country than what was obtained from Catholics refusing to be present at service in their several parishes. One example of the amount actually received under this head may be of interest. In the first half of the year 1601 the treasury acknowledges the receipt of £4,856 15s. 9½d. from recusancy fines; in the second half £4,370 3s. 6½d., making a grand total of £9,226 19s. 4d. for the year; or, to put it into modern figures for comparison, some £110,719 8s. of our money.

I will here give a balance sheet showing the actual sums of money received by the exchequer each six months during the last twenty years of the reign of Queen Elizabeth, from Catholics who refused to come to their parish churches for service. It must be borne in mind, however, that the receipts of the exchequer were but a trifle compared to the losses sustained by the Catholics by the methods employed

to collect the fines, and the consequent waste and wanton destruction of their goods, and, as has been pointed out, "of the vast sums which found their way into the hands of courtiers, parasites, and favourites to whom recusants were given to farm, and pursuivants and informers who made Catholics pay for their forbearance." Even so the total sum of money extracted from the recusants in the course of the last twenty years of the sixteenth century is sufficiently appalling, and as the details are taken from the Royal receipt books, there can be no question about the money not having been really paid. The average yearly payment, it will be seen, was in round numbers £6,000, whilst in each of the last three years it exceeded £8,000. In 1601, when the receipts from recusant fines amounted, as we have said, to £9,226 19s. 4d., the total revenue of the crown averaged £400,000,¹ so that these fines were about a fiftieth part of the total exchequer receipts.

CASH RECEIVED BY THE EXCHEQUER FOR THE FINES OF CATHOLICS
REFUSING TO BE PRESENT AT PROTESTANT SERVICE.

				£	s.	d.	£	s.	d.
1583	Easter term	...	...	285	0	0			
	Michaelmas	...	...	2077	2	8			
							2362	2	8
1584	Easter term	...	...	1005	19	11			
	Michaelmas	...	...	440	4	2			
							1446	4	1
1585	Easter term	...	...	1476	0	4			
	Michaelmas	...	...	1046	13	4			
							2522	13	8
1586	Easter term	...	...	535	19	4			
	Michaelmas	...	...	982	4	5			
							1518	3	9

¹ J. C. Vincent, *Lancashire Lay Subsidies*, Introduction, p. xxix.

				£	s.	d.	£	s.	d.
1587	Easter term	...	..	...	23	16	11		
	Michaelmas	...	...	...	34	5	3		
								57	45
1588	Easter term	...	...	...	26	19	6		
	Michaelmas	...	...	...	56	15	9½		
								83	44
1589	Easter term	...	...	...	19	6	6½		
	Michaelmas	...	...	...	54	15	4		
								73	42
1590	Easter term	...	...	...	31	12	10		
	Michaelmas	...	...	...	35	10	7½		
								66	13
1591	Easter term	...	...	...	29	16	10½		
	Michaelmas	...	...	...	29	5	4		
								59	09
1592	Easter term	...	...	...	35	46	6		
	Michaelmas	...	...	...	30	00	0		
								65	46
1593	Easter term	...	...	...	34	22	9		
	Michaelmas	...	...	...	25	87	10		
								60	09
1594	Easter term	...	...	...	31	34	8		
	Michaelmas	...	...	...	34	25	1		
								65	59
1595	Easter term	...	...	...	33	26	4		
	Michaelmas	...	...	...	29	87	12		
								63	13
1596	Easter term	...	...	...	31	85	15		
	Michaelmas	...	...	...	34	58	13		
								66	44
1597	Easter term	...	...	...	31	89	9		
	Michaelmas	...	...	...	34	49	17		
								66	39
1598	Easter term	...	...	...	31	48	8		
	Michaelmas	...	...	...	35	35	5		
								66	87
1599	Easter term	...	...	...	35	05	3		
	Michaelmas	...	...	...	39	98	14		
								75	02

¹ From Lansd. MS., f. 190.

			£	s.	d.	£	s.	d.
1600	Easter term	...	3689	15	0½			
	Michaelmas	...	4788	4	1½			
						8477	19	2
1601	Easter term	...	4289	0	2½			
	Michaelmas	...	4443	18	10			
						8832	19	0½
1602	Easter term	...	4110	6	5½			
	Michaelmas	...	4176	13	6½			
						8287	0	0
Grand Total						£120,305	19	7½

I must not, however, delay longer over these accounts, for we have many other sources of information. My note-books of collections from the State papers of this period contain many notes and copies of documents relating to Hampshire and Hampshire recusants. For the purpose of this paper I have turned over the pages and marked several which were copied out years ago. There is, of course, not the least possibility of giving in a mere paper any adequate notion of the story as it comes out from these records of the past. All I can do is to note some one or two points, which are, I fancy, most likely to be of interest. I begin with a list to be found in the Domestic State Papers of Elizabeth's reign.¹ It is headed: "The names of the recusants within the county of Southampton who refuse to come unto their several parish churches unto the divine service there said, whereof many of them were presented in the inquisition made through that shire in (April), 1583, and many of them hath been both then and in former inquisitions presented." The list contains the names of some 240 of the Hampshire gentry and their wives.

¹ Vol. clx. ; No. 26.

It is impossible, of course, to give the details, and I only take as a sample the names entered as at Buriton: Henry Shelley, Marie his wife, Marie his daughter, Lawrence Young and two others, servants to Mr. Shelley: Stephen Vachell, gent, Marie his wife, Margery Vachell his sister, and a servant named William. To this list is appended another of names left out either by accident or design, and at the end are noted "those recusants who are committed and do remain in prison." In the gaol at Winchester there are some eight and twenty, including two priests and two nuns. In this company are Nicholas Tichborne, Gilbert Wells, of Twyford, William Beconshaw, Simon Cuffold of Basing, Edward Bannister of Idsworth, John Ludlowe of Fareham, and, to name but one more, our old friend of Heath House and Weston Farm, Stephen Vachell. At the same time four Hampshire gentlemen are in prison for recusancy in London, namely: John Beconshaw, Peter Tichborne, George Cotton of Warblington, about whom we have already heard so much, and Henry Shelley, of Buriton.¹ In the "house of correction" at Winchester there is Mrs. Edborow Bullacre, widow, of Warblington, Mr. Thomas Goter, of Timsbury, Mr. Robert Joy of Eastmeon, and Nicholas Collyns of Meonstoke.

The circumstances which led to Mrs. Bullacre finding

¹ Mr. Henry Shelley, of Mapledurham House, was descended from the Shelleys of Michelgrove, Sussex. The last Abbess of St. Mary's, Winchester, was born at Mapledurham, and the family furnished many priests and religious in the sixteenth and seventeenth centuries. The house of Mapledurham was a large gabled building approached by an avenue of elms. Like Michelgrove, the family mansion of the Shelleys in Sussex, and one of the finest houses in the county, Mapledurham was destroyed only in this century, when the present farmhouse was built on the site.

herself in the House of Correction are the following. In August, 1582, John Chapman, formerly rector of Langton Herring, in Dorsetshire, and now "a seminary and massing priest," as he is officially described, was discovered in the house of Mrs. Bullacre in Warblington, where he had been residing for some time. He was carried off to Winchester together with the lady for harbouring him. After he had been examined before the Bishop of Winchester (Dr. John Watson), and two magistrates, the Bishop wrote to the Privy Council for further instructions, whether he should be sent up to London, or left to be dealt with by the judges at the forthcoming assizes. "He is in the meantime," writes the Bishop, "committed to a safe place in the correction house. The gaol hath so many backward people, that we thought not good to commit neither the priest nor the widow, Mrs. Bullacre, thither."

The four Hampshire gentlemen in the prison in London had probably been there for more than a couple of years, as their names appear in a list of recusant prisoners in the White Lion prison, Southwark, in December, 1581,¹ and two of them, John Beconshaw and Peter Tichborne in another "catalogue of papists imprisoned in 1579";² whilst in the same list are given the names of four widows in prison at Winchester, and against them is noted: "their husbands have died in prison."

I should be glad, had it been possible within the limits of this paper, to have followed the fortunes of a few more

¹ State Papers Dom. Eliz., 1581, No. 240 A.

² Lansd. MS., 28 fol. 96.

Hampshire recusants in the prison lists of which I have a great number. I must content myself with merely noting the name of "Benjamin Stockwith, gent." We have already referred to him as joint owner with his brother of some property at Hinton. In 1586 he is certified as being in the Clink prison, and the entry states that he was "sometime student in ye Inns of Court, imprisoned on March 24th: since arraigned at Newgate for hearing Mass, and then committed prisoner hither again."¹

In turning over the parchment records of the Recusant Rolls the searcher is struck with the way in which the name of the husband of any female recusant is set down. It was done, of course, with the distinct policy of bringing the pressure of the husband's authority to put an end to the wife's recusancy, as the following paper, addressed by the Bishop of Winchester in 1580 to the Privy Council, shows:—"Touching the last letter we received from your honours containing an order how such women are to be dealt with as are relapsed in this diocese, whose husbands come to church and hear sermons and do according to her Majesty's laws in these points: we have called before us many of the husbands and mean to deal with the rest towards the latter end of this week, and hope we shall do some good therein. But at the beginning they thought it something strange that they shall be punished for their wives' faults. But . . . we have taken bonds . . . of them to keep their wives from conference, all manner of ways, with such as are backward in

¹ State Papers Dom. Eliz., vol. 190, No. 26 (June 12).

matters of religion, and also have imposed a mulct upon every of them weekly, till their wives shall come to church."¹

In the year 1586 the Catholics were evidently given some hope that they might perhaps purchase toleration by the payment of a yearly sum to the Queen. Indeed, a commission was appointed on April 13th of that year to examine the recusants of Hampshire as to their ability to pay, and a list was sent for the use of the officials. The Lord la Warre and his fellow commissioners certified after examination that they find only few who are able to pay anything. Many of the Catholic gentry are noted as being then in Wisbeach Castle for matters of religion, or otherwise confined to prison in Winchester. They forward certain letters, however, in which some of the Catholics state what they can pay, and were willing to pay if they were only left to follow their consciences. Thus Stephen Vachell, of Heath House, promises to pay £5 a year for the Queen's permission to follow his religion. Nicholas Tichborne declares that he only has left out of his property an annuity of £3, which the Queen may take. George Cotton, in his letter, says that he had received intimation from his brother Sir Richard Cotton, "of her Majesty's most gracious favour, bent to the ease and relief of her subjects, recusants." He will pay to the utmost of his power, which, however, is "but weak of itself, and hath been of late not a little diminished as well by ordinary charges of children and servants necessarily depending on (him), as by manifold losses sustained, partly by long imprisonment, partly

¹ State Papers Dom. Eliz., vol. 144, No. 36.

by the evicting of a great part of (his) living." He adds that he has lately married three daughters, and has seven children more depending on him. Still he concludes, "besides the great sums which I have paid for the statute of Recusancy" I offer £30 a year. This sum is changed into £40 by his son, Richard Cotton, with his authority.

One or two of the other answers are pathetically interesting. For example: Mrs. Katherine Henslow "protests before God" that she has only £20 to support herself and her servant, and offers the Queen 20 shillings "as a poor widow's mite," to be allowed to practise her religion. A friend, one Anthony Fortescue, subsequently promises to make this up to 40s. for her. Edward Bannister, of Idsworth, says he has already been called upon to pay in Surrey where he is residing, for "I am," he writes, "still bound to remain with my cousin Bellingham of Putney, and I may not go any farther than I am licensed, or first have leave of the Council upon payment of my bond." Lastly, Mrs. Elizabeth Tichborne, of West Tisted, says upon being called upon to make a "personal appearance" before the Commissioners, "I hope you will by reason of my long infirmity hold me excused, the state of my body being such, I thank God for it, that this many year I have not been out of my chamber—nay, not in many months together out of my bed." She would willingly pay the Queen what she is able, but has twelve children "left in trust by my husband," and to them by his will "all my goods and stocks belong when it shall please God to call me." Still, with the aid of friends there

is offered in her behalf £13 4s. 8d. a year.¹ But this slight hope of some better treatment, and of the possibility of the Catholics being allowed to purchase toleration was quickly disappointed, and the same, if not increased, rigour was displayed towards them in the closing years of Elizabeth's reign.

It is evident from the nature of things that only a portion, and that probably by no means the greater portion, of the fines paid by Catholics under the recusant laws really passed into the State coffers. One of the worst results of penal laws was the creation of a body of informers who traded upon the necessities of their fellow-countrymen, and either by rewards for discovering and detecting persons subject to the laws, but hitherto unknown, or by hush-money extracted from the unfortunate subjects, enriched themselves. Further than this, all during the later part of Elizabeth's reign and in the early years of her predecessor, it was the practice of the Crown to reward favourites and officials by what was called "the value of the recusancy" of this or that Catholic. In 1610, to take one example, Sir John Saville offered to pay to the King no less a sum than £8,000 a year for permission to farm the recusant fines in Yorkshire, and at the same time Sir George Manners and Sir Thomas Grantham asked for a grant of the fines for the county of Lincoln, promising to pay £2,000 a year more than the King had hitherto received from his Catholic subjects in that county who refused to go to their parish churches to service.² The extent to which this

¹ State Paper Dom., Eliz., vol. 183, No. 16.

² State Papers Dom., James I., vol. 54, No. 78.

was done was much greater than may be supposed. "A memorial of things grievous and offensive to the Commonwealth which may be reformed by the King or by Parliament," drawn up in May, 1603, the first year of King James I., says: "The penaltie of Recusants (is) £20 a month by Act of Parliament for not comynge to church—a punishment no waie fittinge nor proportionable to that offence." There is a great "defrauding of the Prince of that penaltie due unto him . . . for whereas the penalties amount yearlie to the somme of £13,595 as appeareth by the accompt of the officer that is appointed for that purpose, there is paied into the Exchequer for the Prince's use but £3,900 or thereabouts. The rest goes to certain courtiers who have begged those penalties and compounded with them and by that meanes become Patrons and Protectors of Recusants wherebie Poperie is maintayned and increased in the realm."¹

With the coming of James I. the Catholics hoped for better treatment and liberty. They were, however, soon undeceived, and quite a volume might be made of the various suggestions proffered by hungry officials setting out how more might be made for the Royal Exchequer out of the recusants' lands. One paper sets forth particulars by which property leased at £2,210 4s. 3d. a year might be made to produce £5,779 8s. 9d. In Hampshire, for example, he desires to make Anthony Uvedale, of Woodcote,¹ pay £40 instead of £13 6s. 8d., and our old friend Stephen Vachell, of Petersfield, £50 in place of £11.²

¹ State Papers Dom., 1 James I., vol. i., art. 68.

² Lansd. MS. 153, f. 178.

The amounts, as stated to have been forfeited in this latter reign, became so enormous that one almost hesitates to believe them. I give one entry exactly as it stands. It is endorsed "Recusants, 10 July, 1612," and is to the following effect: "The forfeitures of Recusants which have escheated into this court from the beginning of Michaelmas term in the 9th year of the King's Majesty's reign, to the end of Trinity term in the 10th year of his said Majesty's reign, do in the whole amount to, as by the estreats thereof, remaining in the custody of the clerk of the estreats of this court and by him cast up, particularly appeareth, £371,060." There would appear to be no reasonable doubt about this record; but the effect of it is to show that, in this one year, property of Catholic recusants was confiscated to the crown to the amount, in modern figures, of £4,452,720.

Hallam has told us how priests came over from abroad with their lives in their hands, and passed from one Catholic house to another, administering the rites of religion and exhorting those whom they met with to suffer the extreme penalties of the law rather than abandon the Catholic religion. The coasts of Hampshire and Sussex were naturally the parts of England where these priests were landed, just as it was the part from which, in those days, many a Catholic youth departed, by stealth, to seek in the colleges established in France and Belgium the education denied to him here. Thus, in December, 1581, an informer, writing to Walsingham about one Mr. White, probably Mr. Thomas White, of Titchfield, near Fareham, says: "He imparted to me this day, although in Portsmouth he durst not enter

into conference with me, that he was in France at Christmas last, from whence he conveyed over to England one Adams, a priest. . . . He conveyed over into this realm of late one Chapman, a priest, and landed him at Stokes Bay, by Portsmouth, and gave directions what course he should take.”¹ The houses of the Catholic families in Hampshire were always open to shelter the priest on his landing. Mr. George Cotton’s house, at Warblington, was conveniently situated near the coast, and in many state papers of the period it is noted as one of their chief places of abode, and in 1609 the Lord Treasurer was informed that “In the house of Mr. Cotton, of Hampshire, there is harboured a Jesuit who names himself Thomas Singleton. He teaches the grandchildren of the said Cotton.”²

It is more than probable that priests landing at Portsmouth would pass along the London road through Petersfield. Be this as it may, it is certain that there was always a shelter for them at Buriton, and Mr. Shelley’s large manor house at Mapledurham stood invitingly on the London road, a few hours’ journey from the coast. There and at the neighbouring farm of Weston, priests were always sure to find a welcome, a place to say their Mass, and, if necessary, a secure hiding place. A letter describing the state of the case in 1586 is of such local interest that I will give it entire :—“15th of June, 1586. The declaration of Edward Jones, the Recusant. *In primis* Rt. Hon. . . . it happened that serving

¹ State Papers Dom. Eliz., 1581, No. 231.

² Winwood’s *Memorials*, iii., p. 43.

my master Tichebourne,¹ being his footboy, the young man being very desirous to travel, as fortune fell out, there came on a time unto his master's house a merchant named Hopton, being unto my knowledge but of small acquaintance, but they knew one another, his father being then in prison² unacquainted with this matter. The place is named Porchester. There they agreed between them that they would travel into France, so staying there, departed, going towards London wherein press of time met with was a week or thereabout, so briefly concluded that the next week they would take their journey towards Rye, where they were shipped privily and passed by sea to Diepe where they arrived safely, myself being then in London placed by my mother with one Mr. John Shelley, waiting on the Lord Montague and being in the house not passing a four days, but one of the Lord's sons named Mr. George Brown was very desirous to have me and in the end getting my mistress's good will and him I served a 3 weeks in his father's house. At length old Mr. Titchborne being then prisoner in the White Lion in Southwark, hearing of my being with him sent for me and placed me with this Shelley's brother³ being prisoner too, where I waited on him and his wife and was reconciled there in my mistress' chamber by one Wrenche who died in London two years ago; but being alive went down with my mistress (Mrs. Henry Shelley) unto her house named Mapledurham, near unto Petersfield where he did say mass every day once; whither resorted certain

¹ This was Mr. Chideock Tichborne, of Porchester.

² Mr. Peter Tichborne, in the White Lion prison, 1583.

³ Henry Shelley, of Buriton.

priests more, named as followeth : Jasper Heywood, Jesuit, Shelborne, Chepnan, Adames, Warblington, Farmer, Eskene, Stone. There I daily consociate withal and heard mass every day, thus passing the time a three-quarters of the year in London at my Mrs. lodginge and I came unto the prison and heard mass every morning there. My old master Mr. Tichborne's father, he being always timorous of the law, would never any these persons to have entertainment in the house by reason of the law."¹

On the back of this letter is noted :—"Mapledurham. Mr. Stephen Vachill and his wife, Marten Croucher and his wife, Mr. John Shelley and his wife. White Lion in Southwark, Mr. John Shelley, Mr. Chideock Tichebourne."

The endorsement is of some interest from the absence of the name of Henry Shelley of Mapledurham. The fact is, however, that before October 23rd, 1585, he had already died in his prison at the White Lion, Southwark.² In the year 1587 in a small list of notable recusants, written in Lord Burghley's own hand, appear two Hampshire names I have already spoken a good deal about, George Cotton of Warblington, and Gilbert Wells of Twyford, about both of whom I shall have a word to say later.

A glimpse—and perhaps the most interesting glimpse—of the life of the recusants in these parts at this period is afforded by the information of an informer in 1594. He was a young Hampshire gentleman signing himself "Ben. Beard," con-

¹ Harl. MS. 360, f. 22.

² State Papers Dom. Eliz., vol. 183, No. 45 (6).

nected with the Tichborne family, and who upon finding the Fleet prison in London too much for him, endeavoured to purchase his liberty by volunteering information about the doings of his Catholic relations and friends. He had seen such and such priests at his grandmother's house, and if the Privy Council would set him at liberty he would be able to find them. He had heard mass said at such and such a house, and the searchers could find the Chapel hidden away by following his directions, and so on. Of course his chief information is about Hampshire and a good deal is about this neighbourhood. For instance, he says: "If these parties (*i.e.*, two priests) be missed at Mr. Wells' house (at Brambridge) it is not unlikely, but they will be found at Mapledurham at Mr. Thomas Shelley's house in that county, where I think one Mr. Strange doth dwell.¹ Strange and Wells are great friends and shift such persons between each other. At Mapledurham there is a hollow place in the parlour by the livery cupboard where two men may well lie together, which has many times deceived the searchers."

"Jerom Heath, who is not a recusant, he dwelling at Winchester, who not being suspected for religion was wont in time of any disturbance to harbour such persons, as when my grandmother Mrs. Tichbourne lived, there were continually in her house one Fennell and Richards priests, who upon any search did lightly fly thither for a three or four daies together."

¹ Richard Strange *alias* Barnes of Buriton, gent., appears among the list of Hampshire recusants (Recusant Roll, I., A.D. 1590).

“If I were at liberty I could go but to the Castle at Winchester where presently my uncle Gilbert Tichborne and divers other my friends and kindred remain for their consciences, of whom I could understand anything and no doubt do very good service.”¹

In a paper containing further information Ben. Beard says: Two Jesuits landed in Cornwall and were harboured there for three weeks “by a minister and afterwards conducted by the same partie to Hampshire to a place called Pitt Farme, where one Mr. Yate and his wife did abide. . . . have seen with my own eyes one John Shelley, who was with the old Lord Montague carry Fennell and Richards (the two priests about whom he had spoken as having been sheltered by his grandmother, Mrs. Tichborne) about the country with him in my Lord Montague’s livery, with chains about their necks. Whilst old Mr. Tichborne lived, this Simon Fennell abode with the other priest Richards at Mapledurham in Hampshire, where then one Strange did dwell.”²

Upon this information Beard was apparently examined by the Lord Keeper Puckering, and we have the following notes by his lordship: “Hampshire. John Shelley lieth at Barnes Farme (or Bailes farme) as it were in an old park, pailed and locked that none can come in without a key.”

“His consort is Strange (that was with my Lord Montague) and kept a college of priests (as it were) at Mapledurham.

“Robert Knight, of Lydshot, hard by Bramshot, where

¹ State Papers Dom. Eliz., vol. 248 (March 15th, 1594), No. 30.

² *Ibid.*, No. 105.

Mr. Marvyn dwelleth. This Mapledurham is Thomas Shelley's house. He was going over the sea to be a priest, and was taken, and now Strange farmeth it. . . .

"These houses are common receptacles for priests, and have great shift for the hiding of them: as in Mapledurham house, under a little table is a vault, with a grate of iron for a light into the garden, as if it were the window of a cellar, and against the grate groweth rosemarye."¹

In another examination, held in 1596, of one John Harrison, then prisoner in Bridewell, some slight information is afforded about Mapledurham, Petersfield. Harrison confessed that "he was married to his wife in Newgate by an old priest then in prison, himself nor his wife being no prisoner." He "served Robert Barnes by the space of eighteen years, and was with him at his house at Mapledurham, Hants, and was there when Mrs. Barnes died, which was about eight years past, and she was buried at the parish church at Buriton. He attended on his master Barnes at Bellamy's house, but his master was at Mapledurham when Babington resorted to Bellamy's house. He confesseth himself to be a Catholic of the Pope's religion, and so hath been before and since he came to Barnes' service," but he denied that he had ever seen any he knew to be priests in his master's house at Mapledurham.²

It was, of course, as Hallam has told us, highly dangerous to property, and even to life, to be known to shelter a priest ;

¹ *Ibid.*, No. 116.

² State Papers, Dom. Eliz. 1596 (March 3), No. 47.

and curious devices were practised to be able to escape the penalty. Thus, in one case, a priest declares that to his knowledge the Catholic gentleman stood "behind the door to hear the masses, and not to be seen of his servants," as though he had not known the gentleman staying in his house to have been a priest at all. It is curious to find that, through the sympathy and contrivance of the gaolers Catholics in prison for their recusancy were able to obtain many of the consolations of religion. We have already heard that people outside the walls of such a prison as the White Lion at Southwark, could often come and hear mass said by some priest confined there; and that marriage and other sacraments were administered within prison walls. This was the case even within the Tower, where in 1588, it was discovered not only that at times, by means of keys, the prisoners had access to each other's rooms; but even, for a certain period, had been able to have daily mass said "by all the priests that have been there these many years."¹ At Winchester gaol the compassion of the gaolers mitigated the strictness of the confinement of some of the recusant prisoners; but this was soon discovered, and a long enquiry led to the dismissal of the official, and the appointment of another who could be relied on "to correct" those under his care.

In 1583 "certain poor Catholics, who were unable to pay the heavy fine imposed upon them for neglecting to attend public service were publicly whipped through the streets of

¹ *Ibid.*, 1588 (Oct. 26), No. 760.

Winchester,"¹ and on Bishop Cooper succeeding to the see in 1584, he wrote to the Privy Council suggesting the following admirable mode of getting rid of the recusants from the county of Hampshire, which he describes as over-run with them. His plan is "that a hundred or two of the obstinate recusants, lusty men, well able to labour, might by some convenient commission be taken up and sent to Flanders as pioneers and labourers, whereby the country would be dis-burdened of a company of dangerous people and the rest that remained be put in some fear."²

It would appear that at this time, 1584, the number of recusants in Hampshire was very considerable; the Clerk of the Peace for the county states that, "at every sessions the indictments against them are in number seven score at the least." He adds, after suggesting some change in his duties: "The number of recusants which at every sessions are to be indicted is so great, that the Clerk of the Peace is driven to spend not only by himself, or his deputy and a servant or two, a great deal of time before and after the sessions itself, in drawing and engrossing the indictments, judgments and processes, and the Justices most occupied about them, whereby the sessions are continued more days than heretofore, and almost all other causes and grievances of the shire omitted altogether."³

One other point only will I refer to here: the difficulty experienced by recusants in burying their dead, for, as a rule,

¹ Milner, *Winchester*, p. 380.

² Cassan, *Lives of the Bishops of Winchester*, II., p. 47.

³ State Papers, Dom. Eliz., vol. 183, No. 83.

the bodies were refused a resting place in the parish churchyards. I have mentioned already the name of the family of Wells, of Brambridge, near Twyford. One member of that family was Swithun Wells, whose house in Hampshire was the refuge of numerous priests, and in it were frequently celebrated two, and even three masses a day. In the last stage of his life he had taken a house at London, in Holborn, near Gray's Inn Fields. Here Topcliffe, the celebrated priest-catcher, broke in whilst Father Edmund Genings was saying mass, and carried off the priest and the whole congregation to Newgate. Mr. Wells was not present at the time, but was afterwards apprehended and condemned to death for harbouring a priest and having mass in his house. He, together with Mr. Genings, was actually hanged before his own door on December 10, 1591. The Twyford register of burials discloses the fact that in the century from 1663 (before which date such entries do not appear to have been set down) to 1767, some seventeen members of the Wells family were buried "as recusants, clandestinely, by night." During the same period some fifteen or sixteen other recusants were similarly buried.

The Cotton family were lords of the manors of Warblington and Bedhampton, and we have already seen what large sums Mr. George Cotton had paid to the crown in fines for not attending his parish church. He had likewise lost great estates in Cheshire, which having been granted to his father, Sir Richard Cotton, and having come to him as part of his inheritance, passed again to their original owners.¹ A letter,

¹ Harl. MS. 2083, fol. 127.

written in 1614, records his end. "George Cotton," the writer says, "was despoiled of all his goods and consigned to a dungeon to the end of his days which was hastened by hardships, filth, misery and a chronic malady. The ministers, as if he were unworthy of Christian burial, would not allow his corpse to be buried in their churchyards, hence his remains are deposited in an open field."¹

Mr. Thomas Pound, of Beamond or Belmont, near Farlington, spent nearly thirty years of his life in various prisons in England. His life presents a series of almost incredible sufferings for the rights of conscience, and most of his property passed to the crown in fines for obstinately refusing to attend the parish church. The register of Farlington records his burial thus: "1613 (1 March) Thomas Pounce, Esq., was buried *by night* the first of March."

In the year 1589, Nicholas Tichborne of Hartley Maudit, three miles from Alton, died. He had been in the gaol of Winchester for nine years a prisoner, as he says himself in his petition for relief "for not repairing unto my parish church," or as the Sheriff puts it, "in execution for a great sum of money due unto Her Majesty by reason of his recusancy." We have a glimpse of his sad condition in a letter written by him in 1585. In October of that year, orders were sent down to the officials in the various counties to demand from each recusant gentleman or woman one "light horse" for the queen's service, or £25 in money. George Cotton, apparently, was the only one in this part of the country who

¹ Foley, *Collectanea*, part 2.

was "contented" to furnish the horse. Poor Nicholas Tichborne pleaded "non-ability" to do what was required. "I and such other recusants," he writes, "have reported ourselves, notwithstanding our recusancy, to be as good subjects as any other Her Majesty's subjects, which before God I do acknowledge and profess. And hereupon, Her Majesty having present service for certain light horsemen to be sent into Flanders, Her Majesty's will and pleasure is to require of me to have a light horse in readiness, with all the furniture thereunto belonging, by the 26th day of the month of October, or else £25."

"I," he continues, "am a younger brother and son of a younger brother," and had only one little farm, "for the maintenance of myself, my poor wife and eight young children." The "lease whereof with all such goods as I had upon the same was sold by Robert White, Esq., late Sheriff of the said county, and the money for the same was paid into the receipt of Her Majesty's Exchequer, to Her Majesty's use in the Michaelmas term in the 25th year of Her Majesty's reign." I may mention that in the Pells Receipt Book is entered on November 13th, 1584, the sum of £40 paid by Nicholas Tichborne in part payment. Whilst on the *Exannual Roll* of the following year this £40 is deducted from the £360 he is said to owe the queen, but one sum of £260, and two of £120, are added to the debt at the same time.

To return to the letter of excuse. Tichborne declares that since he has been in prison and all his little property taken away, his family has lived upon the alms of the charitable. He is sorry he is unable to do anything in the way of

finding the horse to show "his loyalty and true obedience to Her Majesty, who," he adds, "with all my heart I do acknowledge for my most dread sovereign lady and queen." He begs they will give him his liberty so that he may work for the support of his family, and promises if possible, when free, to collect the money necessary to buy a horse from his friends.¹

The sheriff himself testifies as to the miserable condition of poor Nicholas Tichborne, for on November 11th (1585) he writes that he "is utterly unable of himself to maintain his wife and children since the confiscation of his goods to Her Majesty for his contemptuous recusancy." ²

He was left consequently in the Winchester Gaol till he died, as I have said, in 1589. The Bishop of the diocese, Dr. Cooper, refused to allow his body to be buried in any church or cemetery, declaring that his conscience would not permit him to suffer a papist to be buried in any of his churches or cemeteries. By the advice of an old Catholic the body was carried to the summit of a hill about a mile from the city and interred in the old disused cemetery of St. James, now known in Winchester as the Catholic Cemetery.

To these instances I must add that of the burial of Fr. Sigebert Buckley, the last of the old Westminster monks. For some time before his death he was living in the house belonging to Mr. Anthony Norton, called Punsholt, in the parish of Eastmeon, to which we have referred before. As they refused him burial in any churchyard, his friends

¹ State Papers, Dom. Elizabeth, vol. 183, No. 45.

² Ibid., vol. 184, No. 17.

carried his body and deposited it in the ruins of an old chapel, in the hopes, as the record says, that in happier times it might be removed to a more honourable sepulchre.

With this I must close my paper to-night. I will ask you to believe that I have touched only the fringe of a large subject, and that the mass of material at hand to illustrate this page of English history is little short of appalling. One thing I hope I have made clear, and that is, that if we want to know the history of these times we cannot afford to ignore the penal laws or to underrate the amount of domestic misery of which they were the cause.

In these days people talk easily of liberty of conscience, but they are commonly ignorant of the means by which, and of the man by whom, the liberty now so highly prized was really won. In a vague way it is imagined that the world was convinced of this by the philosophers; that Locke, for example, was the apostle of this liberty. The work, however, was not done by men who wrote at ease in their armchairs; but by the men, whatever their belief, who bore and suffered all things rather than be false to what appeared to them to be the leading light of conscience. In Elizabethan days, to do so was in some respects most difficult; for the immense majority of Catholics had no quarrel with the queen's succession, and were quite ready to accept her as their legitimate sovereign. The politicians in this party, if potent, were few. On the other hand, Elizabeth was open in her declaration that all she required was external compliance with State regulations in matters of religion for the purposes of policy; yet, fortunately for true "liberty of conscience," she demanded conformity

with externals which, as anyone acquainted with the actual state of the Church of England in her reign knows, were quite incompatible with any continued belief in the Catholic religion.

There can be no question as to the fact that most of those who suffered under the penal laws, outside the ranks of those who actually sacrificed their lives for religion, were simple-minded Englishmen and Englishwomen, skilled neither in argument nor controversy ; but from truthfulness and sincerity of conscience easily open to conviction from the logic of visible facts. They saw through the plea for mere external compliance as the early Christian martyrs of old recognised the renunciation implied by the mere dropping of a few grains of incense before the statue of their Emperor.

The lives of the Recusants fell in days of that confusion and entanglement of ideas which must exist in an age of transition. Whilst, at whatever sacrifice, they refused to abandon what they felt to be good and holy coming to them from the past, they were unwitting instruments in preparing the only conditions possible for the public weal in days to come, when it should be seen that unity of religious faith in England had been broken, perhaps for ever.

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